

**UTILITY PATENT  
APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2-CON

Total Pages

85

First Named Inventor or Application Identifier

Stephen H. Herrmann, et al.

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)

6. ☐ Microfiche Computer Program (Appendix)

2. ☒ Specification [Total Pages 79]

7. Nucleotide and/or Amino Acid Sequence Submission  
(If applicable, all necessary)

(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

a. ☒ Computer Readable Copy

b. ☒ Paper Copy (identical to computer copy) (14 pp.)

c. ☒ Statement verifying identity of above copies

3. ☒ Drawing(s) (35 USC 113) [Total Sheets 2]

4. Oath or Declaration [Total Pages 4]

a. ☐ Unsigned (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,  
See 37 CFR 1.63(d)(2) and 1.33(b).

5. ☒ Incorporation By Reference. (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which  
a copy of the oath or declaration is supplied under Box  
4b, is considered as being part of the disclosure of the  
accompanying application and is hereby incorporated by  
reference therein.

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Assignment Papers (cover sheet & documents(s))

9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)

10. ☐ English Translation Document (if applicable)

11. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

14. ☐ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☒ Other: Information Data Sheet

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information: 60/XXX,XXX converted from

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08 / 955,826

**18. CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

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**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that the correspondence marked below is being deposited with the U.S. Postal Service "Express Mail PO to Addressee" service under 37 CFR 1.10 on October 20, 1998, Express Mail label no. EM539868590US, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Typed or printed name Suzanne A. Sprunger, Ph.D.

Signature

*Suzanne A. Sprunger*

Date

October 20, 1998

# FEE TRANSMITTAL

## Complete if Known

Application Number	TBD
Filing Date	October 20, 1998
First Named Inventor	Stephen H. Herrmann, et al.
Group Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	GI 5302-CON

TOTAL AMOUNT OF PAYMENT (\$) 1,308

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

07-1060

Deposit Account Name

Genetics Institute, Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the mailing of the Notice of Allowance, 37 CFR 1.311 (b)

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

### FEE CALCULATION (fees effective 10/01/97)

#### 1. FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	610	220	305	Utility filing fee	610
106	260	206	130	Design filing fee	
107	390	207	195	Plant filing fee	
108	610	208	305	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 610

#### 2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
47	-20 =	27 X 14 =	378
Independent Claims	8 - 3 =	5 X 64 =	320
Multiple Dependent Claims		X	

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	14	203	7	Claims in excess of 20
102	64	202	32	Independent claims in excess of 3
104	210	204	105	Multiple dependent claim
109	64	209	32	Reissue independent claims over original patent
110	14	210	7	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 698

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	950	217	475	Extension for response within third month	
118	1,510	218	755	Extension for response within fourth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,320	241	660	Petition to revive unintentionally abandoned application	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129 (b))	
Other fee (specify)					
Other fee (specify)					

SUBTOTAL (3) (\$) 0

\* Reduced by Basic Filing Fee Paid

### SUBMITTED BY

Typed or Printed Name Suzanne A. Sprunger, Ph.D.

Signature

*Suzanne A. Sprunger*

Date

October 20, 1998

### Complete (if applicable)

Reg. Number 41,323

Deposit Account User ID 07-1060

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Date

October 20, 1998